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November 20, 2009

To: Distribution List

RE: Proposed Expansion of Spring-Run Chinook Salmon and Steelhead Habitat
in the Lower Yuba River

The purpose of this letter is to seek your comments on potential habitat expansion actions in the Lower Yuba River watershed. The actions would be part of an ongoing effort to expand habitat for endangered spring-run Chinook salmon and steelhead in the Sacramento River basin by the National Marine Fisheries Service (NMFS) and other regulatory agencies. The actions would be undertaken by the California Department of Water Resources (DWR) and Pacific Gas and Electric Company (PG&E) if all of the necessary approvals, consultations, and permits are obtained. The potential actions are described in a draft Habitat Expansion Plan issued by DWR and PG&E dated November 20, 2009.

The habitat expansion actions being considered involve three components:

1. rehabilitating spawning habitat in the lower Yuba River just downstream of Englebright Dam and augmenting gravel in Deer Creek (a tributary to the Yuba River);
2. possibly constructing a fall- and spring-run Chinook salmon segregation weir sometime in the future at a location in the 6-mile reach between Englebright Dam and the Highway 20 Bridge; and
3. restoring juvenile rearing habitat between the Highway 20 Bridge and the downstream extent of the Yuba Goldfields.

These are only potential actions at this time, and will go through a rigorous comment, revision and approval process. The earliest that approval would occur (by NMFS) is in May 2010.

Background

In November 2007, DWR and PG&E, along with NMFS, U.S. Department of the Interior Fish and Wildlife Service (USFWS), California Department of Fish and Game (DFG), U.S. Department of Agriculture Forest Service (USFS), American Rivers, Arthur Baggett, Jr., and State Water Contractors, Inc., entered into an agreement for the purpose of identifying and implementing “the most promising and cost-effective action(s) to expand spawning, rearing and adult holding habitat for Spring-Run and Steelhead in the Sacramento River Basin.” The agreement was a negotiated resolution reached during collaborative relicensing proceedings for hydroelectric projects owned by DWR and PG&E on the Feather River.

The agreement, titled “Habitat Expansion Agreement for Central Valley Spring-Run Chinook Salmon and California Central Valley Steelhead” (HEA), proposes to develop an alternative to fish passage prescriptions on the Feather River by identifying and implementing actions that would provide suitable habitat in the greater Sacramento River basin. DWR and PG&E formed a Steering Committee and retained a consultant, ICF Jones & Stokes, to coordinate the implementation of the initial phase of the HEA.

Objective

The goal of the HEA is to find an action or actions that will expand habitat for 2,000–3,000 spring-run Chinook salmon. The action(s) must be located in the Sacramento River basin and meet a number of criteria as detailed in the HEA.

A 90-day comment period for the signatories of the HEA and other stakeholders follows issuance of the draft Habitat Expansion Plan. Comments must be submitted to DWR and PG&E by February 18, 2010. After comments are addressed, a final plan will be submitted to NMFS for review and approval. If the plan is approved by NMFS, there are still a number of steps that would need to be taken before a habitat expansion action could be implemented, including obtaining any necessary approvals or permits.

Purpose of This Outreach

We encourage you to review the draft Habitat Expansion plan and provide your comments on the recommended potential actions in a timely manner. We are including with this letter a CD copy of the entire draft Habitat Expansion Plan, as well as a paper copy of sections of the draft Habitat Expansion Plan relevant to the Lower Yuba River watershed. At your request, we also can send you a paper copy of the entire draft Habitat Expansion Plan.

We are planning to hold a public meeting in Marysville in mid- January 2010 to provide more information and answer any questions you may have. The date, time, and place for that meeting will be sent in a follow-up letter. We would appreciate your involvement in this important effort and encourage you to participate in the meeting.

Comments on the potential actions recommended in the draft Habitat Expansion Plan must be submitted by February 18, 2010, to be considered. Comments may be submitted in one of three ways:

1. Email comments to: hea@water.ca.gov

2. Mail comments to:

Chief, Division of Environmental Services
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

3. Bring comments to the public meeting in Marysville to be held in the middle of January 2010.

To Learn More about the HEA

Attached is a short document titled "Key Points of the Habitat Expansion Agreement." We also invite you to visit our Web site: www.sac-basin-hea.com for additional information on the HEA and the process being used to develop the Habitat Expansion Plan.

If you have any questions regarding the habitat expansion actions under consideration prior to the January meeting, please contact Jennifer Rogers at (916) 231-9605 and your message will be forwarded to the Steering Committee.

Thank you for your time.

Sincerely,

The HEA Steering Committee

- Liv Imset, Pacific Gas and Electric Company
- Heidi Rooks, Department of Water Resources
- Paul Kubicek, Pacific Gas and Electric Company
- Chris Wilkinson, Department of Water Resources

Attachment:

- Key Points of the Habitat Expansion Agreement

cc: Attached List

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Marysville, CA 95901-9012

Yuba River Properties
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Placerville, CA 95667-0534

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Property Owner
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Folsom, CA 95630-2671

Foothill Water Network
P.O. Box 713
Lotus, CA 95651

Nevada County Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

South Yuba River Citizen's League
216 Main Street
Nevada City, CA 95959

Sutter County Board of Supervisors
1160 Civic Center Blvd.
Yuba City, CA 95993

Yuba County Board of Supervisors
915 8th Street, Suite 109
Marysville, CA 95901

Sent on 12/3/09

Ralph Mullican
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Sent on 12/4/09

Art Craigmill
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Browns Valley, CA 95918

Sent on 12/4/09

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Oroville, CA 95965

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Butte County Resource Conservation
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Oroville, CA 95965

Sent on 12/10/09

Ryan Bonea
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Sent on 12/14/09

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Marysville, CA 95901

Habitat Expansion Agreement for Central Valley Spring-Run Chinook Salmon and California Central Valley Steelhead

Key Points of the Habitat Expansion Agreement

The Habitat Expansion Agreement for Central Valley Spring-Run Chinook Salmon and Central Valley Steelhead (HEA) was negotiated as an alternative to Federal Power Act fish passage prescriptions as part of Federal Energy Regulatory Commission (FERC) relicensing of Oroville, Poe, and Upper North Fork Feather River hydropower projects on the Feather River.

There are nine signatories (Parties) to the HEA: California Department of Water Resources (DWR) and Pacific Gas and Electric Company (PG&E) (Licensees), National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service, California Department of Fish and Game (CDFG), U.S. Forest Service, American Rivers, Art Baggett, Jr. (signing as a recommendation to the State Water Resources Control Board), and the State Water Contractors.

The overall goal of the HEA is to expand the amount of habitat with the physical characteristics necessary to support spawning, rearing, and adult holding of spring-run Chinook salmon and steelhead in the Sacramento River Basin.

The specific Habitat Expansion Threshold is to expand spawning, rearing and adult holding habitat sufficiently to accommodate an estimated net increase of 2,000 to 3,000 spring-run Chinook salmon for spawning in the Sacramento River Basin. The Habitat Expansion Threshold is focused on spring-run Chinook salmon as the priority species, as expansion of habitat for spring-run typically accommodates steelhead as well.

A public website with information on the HEA has been established (www.sac-basin-hea.com). The complete HEA and lists of the Evaluation Criteria, Selection Criteria, NMFS Approval Criteria and the complete list of actions being evaluated (i.e., Ranked Preliminary List of Viable Actions) are also available on the Web site.

The Licensees have convened an HEA Steering Committee comprised of representatives from DWR and PG&E to work towards fulfillment of the HEA requirements. You can contact the four Steering Committee members at hea@water.ca.gov.

The Steering Committee solicited input from the Parties to the HEA and stakeholders within the Sacramento River Basin to provide input on potential habitat expansion actions to be considered under the HEA. A questionnaire was developed for the HEA Parties and stakeholders to complete and submit to the Steering Committee for consideration. Many of the actions listed on the Ranked Preliminary List of Viable Actions were identified by questionnaires that were submitted to the Steering Committee.